



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,792	10/18/2001	Guillaume Royer	S1022/8246	9624
23628	7590	07/18/2006	EXAMINER	
LE, UYEN CHAU N				
ART UNIT			PAPER NUMBER	
			2876	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	Application No.	Applicant(s)
	09/831,792	ROYER, GUILLAUME
	Examiner Uyen-Chau N. Le	Art Unit 2876

All participants (applicant, applicant's representative, PTO personnel):

(1) Uyen-Chau N. Le. (3) David Gesner.  
 (2) Jared Fureman. (4) Richard F. Giunta.

Date of Interview: 27 June 2006.

Type: a) Telephonic b) Video Conference  
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
 If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: \_\_\_\_\_.

Identification of prior art discussed: \_\_\_\_\_.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner indicated to Mr. Giunta and Mr. Gesner that the Applicant's argument with respect to claims 1, 9 and 16 (see attached Interview Agenda) have been fully considered and are persuasive. Upon receiving the formal response, further search and consideration will be made.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

UYEN-CHAU N. LE  
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### **Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### **Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  

(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### **Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

DOCKET NO.: S1022,80246US00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

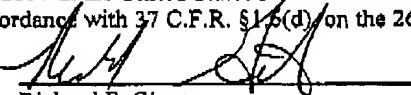
Applicant: Guillaume Royer  
Serial No.: 09/831,792  
Confirmation No.: 9624  
Filed: October 18, 2001  
For: SELF-ADHESIVE ELECTRONIC CIRCUIT

Examiner: Le, Uyen Chau N.  
Art Unit: 2876

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**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Uyen Chau N. Le, FAX number 571-273-2397 at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d) on the 26th day of June, 2006.

  
Richard F. Giunta

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Interview Agenda**

In response to Examiner Le's request, a proposed agenda for the telephone interview scheduled for June 27, 2006 is outlined below.

Applicant requested the interview to clarify several points raised in the Office Action mailed February 27, 2006. In the Office Action, independent claims 1 and 16 are rejected under 35 U.S.C. §103 as purportedly being obvious in view of a combination of Hornstein and Isaacson, and claim 9 is rejected under 35 U.S.C. §103 as purportedly being obvious in view of a combination of Hornstein, Isaacson and Murohara.

Applicant would like to discuss: (1) precisely how Hornstein would purportedly be modified based upon the teachings of Isaacson, and (2) what the resulting structure would allegedly look like.

The Office Action asserts that one skilled in the art would have been motivated to modify the label of Hornstein by arranging its chip in an opening in the double-faced adhesive to reduce the overall thickness of the label. Applicant would like to understand how the Examiner believes this could be achieved and what the modified structure would look like, as the alleged

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modification is not only believed to be unsupported by any motivation, but to be virtually impossible to achieve and to be against the teachings of Hornstein.

For example, modifying the embodiment shown in Fig. 1 of Hornstein in the manner asserted would require completely changing the label structure, since the speaker 38 is disposed between the chip 20 and the double-faced adhesive surface 40.

Modifying the embodiment shown in Fig. 6 to place the clip 20 in an opening in the adhesive layer 40 would require arranging the entirety of substrate 18 within the double-faced adhesive, since the chip is embedded within, and is no thicker than, the substrate (see the cross-section shown in Fig. 7). Of course, doing so would result in their being no surface area of the adhesive remaining, as the adhesive is adhered to the bottom surface of the substrate. In addition, Fig. 7 shows that the chip is not the thickest component in the device, so that even if the chip were embedded in the adhesive layer, doing so would have no impact on the overall thickness of the device. For example, spacers 38 (see Fig. 6) are at least as thick as substrate 18 and Hornstein teaches that the spacers 38 are required to allow sound from the speakers to escape (col. 6, lines 50-52). Similarly, slot 34 provides access to connector 32 for recording sounds on the chip (col. 5, lines 8-11). As a result, a skilled artisan would not arrange the chip in the double-faced adhesive in an attempt to reduce the thickness of the label, because doing so would not achieve that result.

The double-faced adhesive in Hornstein is so thin as to not even warrant being shown in the cross-section view (Fig. 7). Thus, it is respectfully asserted that the assertion that one skilled in the art would look to the thickness of this adhesive layer as a gating factor influencing the overall thickness of the label is believed to be unsupported.

Applicant thanks Examiner Le in advance for her courtesies in granting and conducting the telephone interview.

Respectfully submitted,  
*Guillaume Royer, Applicant*

By:

  
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